

ORIGINAL

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

KARAM PRASAD LLC d/b/a/ BISHOP OF  
SEVENTH, a New York limited liability  
company,

Plaintiff,

- against -

CACHE, INC., a Florida corporation,

Defendant.

Case No. 2007 CV 5785 (PAC)

**MOTION TO ADMIT COUNSEL**  
***PRO HAC VICE***

PURSUANT TO RULE 1.3(c) of the Local Rules of the United States District  
Courts for the Southern and Eastern Districts of New York, I, **EDWARD F.**  
**WESTFIELD JR.**, a member in good standing of the bar of this Court, hereby move for  
an Order allowing the admission *pro hac vice* of:

Applicant's Name: ..... **MICHAEL S. CULVER, ESQ.**

Firm Name: ..... Millen, White, Zelano & Branigan, P.C.

Address: ..... 2200 Clarendon Blvd., Ste. 1400

City/State/Zip: ..... Arlington, VA 22201-3360

Phone Number: ..... (703) 243-6333


Fax Number: ..... (703) 243-6410

Email: ..... culver@mwzb.com

Applicant, **Michael S. Culver, Esq.**, is a member in good standing of the bar of the **Commonwealth of Virginia**. There are no pending disciplinary proceeding against the Applicant in any State or Federal court.

Dated: New York, New York  
July 10, 2007

**EDWARD F. WESTFIELD, P.C.**  
Attorneys for Plaintiff

By:   
Edward F. Westfield Jr.  
(EW1625)  
efwjr@efwpc.com  
274 Madison Avenue, Suite 1601  
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(212) 532-6625 tel  
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TO: NIXON PEABODY LLP  
Attorneys for Defendant  
Attn: Tamar Duvdevani, Esq.  
(tduvdevani@nixonpeabody.com)  
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**AFFIDAVIT OF EDWARD F.  
WESTFIELD JR. IN SUPPORT  
OF MOTION TO ADMIT  
COUNSEL *PRO HAC VICE***

STATE OF NEW YORK

COUNTY OF NEW YORK

} ss.:

EDWARD F. WESTFIELD JR., being duly sworn deposes and says:

1. I am associated with Edward F. Westfield P.C., counsel for plaintiff in the above captioned action. I am familiar with the proceedings in this case. I make this statement based on my personal knowledge of the facts set forth herein and in support of plaintiff's motion to admit **Michael S. Culver, Esq.** as counsel *pro hac vice* to represent plaintiff in this matter.

2. I am a member in good standing of the bar of the State of New York, and was admitted to practice law in April 10, 2002. I am also admitted to the bar of the United States District Court for the Southern District of New York, and am in good standing with this Court.

3. I have known Mr. Culver since May 2007

4. Mr. Culver is a partner of Millen, White, Zelano & Branigan, P.C., in Arlington, Virginia.

5. Mr. Culver, Esq., is a member in good standing of the bar of the Commonwealth of Virginia. There are no pending disciplinary proceeding against the Applicant in any State or Federal court. A copy of Mr. Culver's Certificate of good standing, issued by the Virginia State Bar, dated Jun 22, 2007, is annexed hereto as exhibit A.

6. I have found Mr. Culver to be a skilled attorney and a person of integrity. He is experienced in Federal practice and is familiar with the Federal Rules of Procedure.

7. Accordingly, I am pleased to move the admission of Michael S. Culver, Esq., *pro hac vice*.

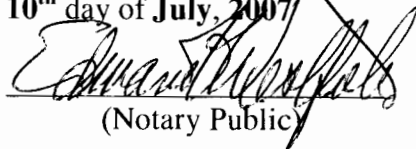
8. I respectfully submit a proposed order granting the admission of Michael S. Culver, Esq., *pro hac vice*, which is attached hereto as Exhibit B.

WHEREFORE it is respectfully requested that the motion to admit Michael S. Culver, Esq., *pro hac vice*, to represent plaintiff Karam Prasad LLC d/b/a/ Bishop of Seventh in the above captioned matter, be granted.



**Edward F. Westfield Jr. (EW1625)**  
efwj@efwpc.com

Sworn to before me this  
10<sup>th</sup> day of July, 2007

  
(Notary Public)

EDWARD F. WESTFIELD  
Notary Public, State of New York  
ID Number: 02WE5026190  
Qualified in BRONX County  
Commission Expires April 11, 2010

**EDWARD F. WESTFIELD, P.C.**  
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Bar Counsel



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Chief Operating Officer

Mary Yancey Spencer  
Deputy Executive Director

Elizabeth L. Keller  
Assistant Executive Director  
for Bar Services

Susan C. Busch  
Assistant Executive Director  
for Administration

*June 22, 2007*

## ***CERTIFICATE OF GOOD STANDING***

*THIS IS TO CERTIFY THAT **MICHAEL STEVEN CULVER** IS AN  
ACTIVE MEMBER OF THE VIRGINIA STATE BAR IN GOOD STANDING.  
**MR. CULVER** WAS LICENSED TO PRACTICE LAW IN VIRGINIA ON  
**OCTOBER 5, 1990**, AFTER SUCCESSFULLY PASSING THE BAR  
EXAMINATION GIVEN BY THE VIRGINIA BOARD OF BAR EXAMINERS.*

*SINCERELY,*

**THOMAS A. EDMONDS  
EXECUTIVE DIRECTOR AND  
CHIEF OPERATING OFFICER**

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**DECLARATION OF SERVICE**  
**(*Pro Hac Vice* Motion)**

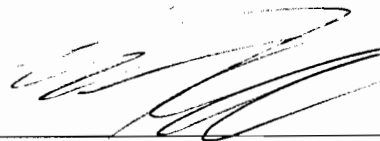
EDWARD F. WESTFIELD JR., an attorney duly admitted and licensed to practice in this District Court, under penalty of perjury, hereby declares as follows:

1. I am not a party to this action, am 18 years of age or older, and reside in the Borough of Brooklyn, County of Kings, City and State of New York. I am associated with Edward F. Westfield, P.C., attorneys for the plaintiff in the above entitled action.

2. July 10, 2007, I served true and correct copies of the annexed Motion to Admit Counsel *Pro Hac Vice*, dated July 10, 2007, and Affidavit of Edward F. Westfield Jr. in Support of Motion to Admit Counsel *Pro Hac Vice*, dated June 10, 2007, by depositing the papers, enclosed in a first class postpaid wrapper, in a post office or official depository under the exclusive care and custody of the United States Postal Service within the State of New York, addressed to the following address(es), which is/are designated by the addressee(s) for that purpose or, if none is designated, which is/are the last known address(es) of the addressee(s):

NIXON PEABODY LLP  
ATTN: TAMAR DUVDEVANI ESQ  
437 MADISON AVE FL 23  
NEW YORK NY 10022-7039

Dated: New York, New York  
July 10, 2007



**Edward F. Westfield Jr.**  
(Pursuant to 22 NYCRR 130-1.1-a)

**EDWARD F. WESTFIELD, P.C.**  
Attorneys for Defendants  
274 Madison Ave., Ste. 1601  
New York, NY 10016-0701  
(212) 532-6625 tel.